

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX  
DIGITAL GROUP LLC; DAVID  
SCHAEFER; JORDAN GREEN;  
JEFFREY CONWAY; and JAMES MAY,

Defendants.

No. 2:21-cv-811-TSZ

[PROPOSED] ORDER GRANTING  
PLAINTIFF BUNGIE, INC.'S MOTION TO  
STRIKE EXPERT TESTIMONY OF BRAD  
LAPORTE

THIS MATTER came before the Court for hearing on Plaintiff Bungie, Inc.'s ("Bungie") Motion to Strike Expert Testimony of Brad LaPorte ("Motion"). Now, having reviewed the parties' briefing, declarations, and exhibits attached thereto, it is hereby ORDERED that Bungie's Motion is GRANTED, it is further:

ORDERED that any of Brad LaPorte's report and/or testimony concerning the following subjects is excluded and may not be presented at trial:

A. Any opinions or testimony concerning the meaning of Exhibit D to Defendants' Amended Counterclaims (Dkt. No. 72-4) and/or BUNGIE\_WDWA\_0000367.

B. Any opinions or testimony concerning Bungie's claims in this matter, or Bungie's expert witness Steven Guris or his expert report.

1 C. Any opinions or testimony that the system drivers in Exhibit C to Defendants'  
2 Amended Counterclaims (Dkt. No. 72-3) and/or BUNGIE\_WDWA\_0000409 (such  
3 as \\?\g:\work files\reclass\x64\plugins\reclasskernel64.sys  
4 (8D98DB3A27112A9C92558FF90A1D6206)) were not attributable to Defendant  
5 Phoenix Digital Group LLC.

6 **IT IS SO ORDERED**

7  
8  
9 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

10  
11  
12 \_\_\_\_\_  
13 Honorable Thomas S. Zilly  
14 UNITED STATES DISTRICT JUDGE

15 Presented by:

16 /s/ William C. Rava

17 William C. Rava, WSBA No. 29948  
18 Christian W. Marcelo, WSBA No. 51193  
19 Jacob P. Dini, WSBA No. 54115

20 **Perkins Coie LLP**

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